

# EXHIBIT

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**IN THE  
SUPREME COURT OF OHIO**

LEAGUE OF WOMEN VOTERS OF OHIO, *et al.*,

Relators,

v.

OHIO REDISTRICTING COMMISSION, *et al.*,

Respondents.

Case No. 2021-1193

Original Action Pursuant to Ohio Const.,  
Art. XI

Apportionment Case

BRIA BENNETT, *et al.*,

Relators,

v.

OHIO REDISTRICTING COMMISSION, *et al.*,

Respondents.

Case No. 2021-1198

Original Action Pursuant to Ohio Const.,  
Art. XI

Apportionment Case

THE OHIO ORGANIZING COLLABORATIVE, *et al.*,

Relators,

v.

OHIO REDISTRICTING COMMISSION, *et al.*,

Respondents.

Case No. 2021-1210

Original Action Pursuant to Ohio Const.,  
Art. XI

Apportionment Case

**NOTICE OF IMPASSE OF RESPONDENT THE OHIO REDISTRICTING  
COMMISSION**

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### **NOTICE OF IMPASSE**

On February 7, 2022, this Court invalidated the Revised General-Assembly Plan (“Revised Plan”) adopted by Respondent The Ohio Redistricting Commission (the “Commission”) on January 22, 2022. The Court further ordered that the Commission adopt an entirely new General-Assembly plan that conforms with the Ohio Constitution, file it with the Secretary of State by February 17, 2022, and file a copy of that plan with this Court by 9:00 a.m. today, February 18, 2022.

On February 17, 2022, the Commission met. House Minority Leader Allison Russo moved the Commission to adopt a plan submitted by her and Senator Vernon Sykes. The Commission discussed that proposed plan. Other commission members, including Senate President Matt Huffman and Auditor Keith Faber, raised concerns and stated that the proposed plan did not comply with the Ohio Constitution, including Article XI, Sections 6(A) and 6(C); violated racial-gerrymandering rules under federal law; and was flawed for other reasons. Minority Leader Russo stated that the proposed plan was constitutional, did not violate federal law, and should be adopted. Ultimately, the Commission voted not to adopt the proposed plan. Leader Russo and Senator Sykes voted to adopt the plan, and the remaining five members of the Commission voted not to adopt the plan.

After voting on the proposed plan that Leader Russo moved into consideration, a majority of the Commission members were unable to adopt a new General-Assembly Plan. Among other discussion, President Huffman stated that the Commission was at an impasse, as the Commission is unable to ascertain and determine a plan that complies with the Court’s order and the Ohio Constitution. Governor Mike DeWine stated that it was not possible to comply with at least portions of the Court’s order, including drawing an entirely new map in ten days, but added that the Commission should attempt to adopt a new map that complies with the Court’s order as much

as possible. Leader Russo stated that it was possible to adopt a new constitutional map, and the Commission should do so.

Accordingly, a majority of the Commission has not been able to adopt a new plan, and the Commission is thus unable to file a copy of a new plan with this Court by the Court's deadline of 9:00 a.m. today.

Dated: February 18, 2022

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on February 18, 2022, a copy of the foregoing was served by electronic mail upon the following:

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